UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

PATRICIA L. JORDAN,)		
Plaintiff,)		
v.)	Case No.	06 C 4541
MICAEL J. ASTRUE,	<i>)</i>)	Magistrate Nolan	
Commissioner of Social Security)		
)		
Defendant.)		

MOTION FOR JUDGMENT

NOW COMES the Plaintiff, Patricia L. Jordan, by her attorneys Hanson and Hanson Attorneys at Law, P.C., and hereby moves the court pursuant to 42 U.S.C. §405(g) to enter judgment for Plaintiff as to Count I of the complaint in the above-captioned matter by affirming the final decision of the Commissioner and in support of said motion states as follows:

- 1. That this matter was remanded to the ALJ pursuant to sentence six of 42 U.S.C. §405(g) and the ALJ issued a decision on August 31, 2007 making a "partially favorable" decision by finding the Plaintiff disabled as of September 1, 1996 and is filed in conjunction with this motion as EXHIBIT A.
- 2. That this decision is considered "partially favorable" because the Plaintiff's original alleged onset date was June 1, 1994. However, the ALJ found the Plaintiff disabled prior to her date last insured (September 30, 1996) and therefore is entitled to disability insurance benefits. Although the date she was found disabled is later than her original alleged onset, this difference has no practical negative effect on the Plaintiff and therefore Plaintiff waives any objection to the finding of disability on September 1, 1996.

- 3. That 60 days have passed and the Appeals Council has not elected to review the matter on its own motion and therefore the ALJ decision issued on August 31, 2007 is the final decision of the Commissioner.
- 4. That the Plaintiff has elected not to proceed on Counts II and III of her complaint pertaining to re-opening prior applications, and therefore moves to dismiss Counts II and III of her complaint.
- 5. The Plaintiff waives filing of a supplemental transcript by the Commissioner.
- 6. The Plaintiff brings this motion for judgment as a prerequisite to filing a motion for an award of attorney's fees pursuant to the Equal Access to Justice Act.

Respectfully Submitted,

PATRICIA L. JORDAN

BY: s/ Marcus J. Zarlengo
One of the plaintiff's attorneys

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2007 I electronically filed the above Motion for Judgment with the Clerk of the Court using the CM/ECF system.

s/ Marcus J. Zarlengo

Marcus J. Zarlengo 06287745 Hanson & Hanson, Attorneys at Law, P.C. 1802 North Division Street, Suite 304 P.O. Box 825 Morris, Illinois 60450 (815) 942-6700